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KELLEY DRYE & WARREN LLP

A LIMITED LIABILITY PARTNERSHIP INCLUDING PROFESSIONAL ASSOCIATIONS

1200 19<sup>TH</sup> STREET, N.W.

SUITE 500

WASHINGTON, D.C. 20036

(202) 955-9600

EX PARTE OR LATE FILED

FACSIMILE

(202) 955-9792

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OFFICE OF THE SECRETARY

WRITER'S DIRECT LINE

(202) 955-9788

WRITER'S E-MAIL

tdaubert@kelleydrye.com

NEW YORK, NY  
LOS ANGELES, CA  
MIAMI, FL  
CHICAGO, IL  
STAMFORD, CT  
PARSIPPANY, NJ

BRUSSELS, BELGIUM

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October 29, 1999

VIA HAND DELIVERY

Ms. Magalie R. Salas  
Secretary  
Federal Communications Commission  
445 12<sup>th</sup> Street, S.W.  
Washington, D.C. 20554

Re: Ex Parte Presentation in CC Docket No. 96-98 and  
NSD File No. L-99-65

Dear Ms. Salas:

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, WinStar Communications, Inc. ("WinStar") hereby gives notice that on October 28, 1999, Russell Merbeth, Daniel F. Gonos, Rose Breidenbaugh, and the undersigned met with Yog Varma, Deputy Bureau Chief of the Common Carrier Bureau, Blaise A. Scinto, Deputy Chief, Diane Harmon, Assistant Chief, Tejal Mehta, Attorney Advisor, Aaron Goldberg, Attorney Advisor, and Patrick E. Forster, Electronics Engineer, all of the Network Services Division of the Common Carrier Bureau, to discuss the Illinois Commerce Commission's ("ICC") request for a temporary waiver of mandatory 10-digit dialing.

During the meeting, WinStar explained its opposition to the ICC's waiver request. The points that WinStar discussed are elaborated in the attached presentation, which WinStar distributed at the meeting.

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KELLEY DRYE & WARREN LLP

Ms. Magalie R. Salas  
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In accordance with Section 1.1206(b), an original and one copy of this notice is being provided.

Sincerely,

A handwritten signature in black ink, appearing to read "Todd D. Daubert", with a long horizontal flourish extending to the right.

Todd D. Daubert  
Counsel to  
WinStar Communications, Inc.

Enclosures

cc: FCC staff listed above

# **WinStar Communications, Inc.**

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Ex Parte Presentation on

## **Illinois Commerce Commission Request for Waiver of 10 Digit Dialing**

Federal Communications Commission  
NSD File No. 99-65  
CC Docket No. 96-98

October 28, 1999

Russell Merbeth  
Dan Gonos  
Rose Breidenbaugh

# **Introduction of Mandatory 10 Digit Dialing on an Area Code by Area Code Basis Will Not Introduce Dialing Disparities**

- ♦ **Much of the Chicago area already must use 10 Digit dialing to reach communities of interest.**
- ♦ **In Illinois, 10 Digit dialing is a Routing Indicator, not a Toll Indicator.**
- ♦ **Customers in Illinois are already largely accustomed to dialing 10 digits, even in the same community.**
- ♦ **Gradual introduction facilitates a more focused campaign.**

# **Delaying the Introduction of Mandatory 10 Digit Dialing Will Impede, Not Enhance, Customer Education**

- ♦ **On average, only 30% of customers will adapt to a mandatory change before it becomes mandatory.**
- ♦ **Delaying mandatory dialing creates the false impression that regulators do not support the change, that there is a "way out" of 10 Digit Dialing.**
- ♦ **Appropriate customer education will at least make most people aware that 10 Digit Dialing will apply to their area code.**
- ♦ **Because permissive 10 Digit Dialing is in place, customers who begin to dial 10 Digits before "Optional Dialing" will still complete calls with no change in rating or routing.**
- ♦ **Intercept recordings, though inconvenient, do instruct customers on proper dialing procedures.**

# **Delaying Introduction of Mandatory 10 Digit Dialing Will Seriously Disadvantage Code Holders in the New NPA**

- ♦ **Customers of Code Holders in the new NPA will have to dial substantially all calls using 10 Digits.**
- ♦ **Calls to the above customers will have to be placed using 10 Digits.**
- ♦ **Customers may therefore actively seek to do business with Service Providers who have numbers in the legacy NPA rather than the new one.**
- ♦ **Incumbent Service Providers will use this disparity as a sales tool.**

# **Delaying Introduction of Mandatory 10 Digit Dialing Will Disadvantage End Users in the New Code**

- ♦ **End Users with numbers in the new code will be isolated from those in the legacy NPA by a different dialing requirement.**
- ♦ **End Users in the legacy area code will be less likely to learn the new code because it can only be reached with 10 digits.**
- ♦ **Some PBX customers will be unable to support trunks from both area codes in the same switch and a long-term permissive 7 / 10 Digit environment.**
- ♦ **Even residence and small business users could be faced with the possibility of dialing 7 digits for some calls and 10 digits for others, even in the same building.**

# **The Projected 2-1/2 Year Transition Period is Too Long**

- ♦ **Some new entrants could be isolated for the entire time.**
- ♦ **End Users, regardless of Service Provider, could be isolated for most of the time.**
- ♦ **PBX vendors, particularly for older switches will be forced to develop new software releases at substantial cost to them and to end users.**



# **Permissive Dialing Already In Place Facilitates and Recommends a Transition Sooner, Not Later**

- ♦ **A single education campaign would be more effective, less confusing and less expensive than multiple education campaigns.**
- ♦ **A long term education plan will be more effective than one that lasts only a few months.**
- ♦ **Users of the new area code are not disadvantaged.**